



SELLER'S DISCLOSURE OF REAL PROPERTY CONDITION REPORT
State of Delaware

Approved by the Delaware Real Estate Commission (Effective 9/1/08)

Seller (s) Name: _____

Property Address: _____

Approximate Age of Buildings(s): _____ **Date Purchased:** _____

Chapter 25, Title 6 of the Delaware Code, requires a Seller of residential property to disclose in writing all material defects of the property that are known at the time the property is offered for sale or that are known prior to the time of final settlement. Residential property means any interest in a property or manufactured housing lot, improved by dwelling units for 1-4 families. The disclosure must be made on this Report, which has been approved by the Delaware Real Estate Commission, and shall be updated as necessary for any material changes occurring in the property before final settlement. This Report shall be given to all prospective Buyers prior to the time the Buyer makes an offer to purchase. This Report, signed by Buyer and Seller, shall become a part of the Agreement of Sale. This Report is a good faith effort by the Seller to make the disclosures required by Delaware law and is not a warranty of any kind by the Seller or any Agents or Sub-Agents representing Seller or Buyer in the transfer and is not a substitute for any inspections or warranties that the Seller or Buyer may wish to obtain. The Buyer has no cause of action against the Seller or Real Estate Agent for material defects in the property disclosed to the Buyer prior to the Buyer making an offer; material defects developed after the offer was made but disclosed in an update of this Report prior to settlement, provided Seller has complied with the Agreement of Sale; or material defects which occur after settlement. State websites containing helpful information include: Office of State Planning Coordination www.stateplanning.delaware.gov, Delaware Department of Natural Resources and Environmental Control www.dnrec.delaware.gov, Delaware Division of Public Health www.dhss.delaware.gov/dhss/dph, Delaware State Police Sex Offender Registry www.state.de.us/dsp and other agencies listed on www.delaware.gov.

Yes	No	*	* Write in <i>U</i> if Unknown or <i>NA</i> if Not Applicable, otherwise mark either the Yes or No column.
			<u>I. OCCUPANCY</u>
			1. Does Seller currently occupy this property? If No, how long has it been since Seller occupied the property? _____
			2. Is the property encumbered by a lease, option to purchase, or first right of refusal?
			3. If the property is leased, have all necessary permits/licenses been obtained?
			<u>II. DEED RESTRICTIONS, HOMEOWNERS ASSOCIATIONS/CONDOMINIUMS AND CO-OPS</u>
			4. Is the property subject to any deed restrictions?
			5. Are you in violation of any deed restrictions at this time?
			6. Is the property subject to any agreements concerning affordable housing or workforce housing?
			7. Is the property subject to any private or public architectural review control other than building codes?
			8. Is the property part of a condominium or other common ownership?
			9. Is there a Homeowners Association, Condominium Association, Civic Association, or Maintenance Corporation? If Yes, circle all that apply.
			10. If so, are there any fees, dues, assessments or bonds involved? If Yes, how much? _____ _____ Mandatory or _____ Voluntary
			11. Are there any unpaid assessments? If Yes, indicate amount _____.
			12. Has there been a special assessment in the past 12 months?
			13. Have you received notice of any new or proposed increases in fees, dues, assessments or bonds?
			14. Is there any condition or claim, which may result in an increase in assessments or fees?
			15. Association Representative: _____ Phone # _____
			<u>III. TITLE / ZONING INFORMATION</u>
			16. Does the amount owed on your mortgages and other liens exceed the estimated value of the property? If Yes, are additional funds available from Seller for settlement? _____

Page 1 Seller's Initials _____ Seller's Initials _____ Buyer's Initials _____ Buyer's Initials _____

Yes	No	*	* Write in U if Unknown or NA if Not Applicable, otherwise mark either the Yes or No column.
			17. Is your property owned _____ In fee simple _____ Leasehold _____ Cooperative?
			18. Are there any right-of-ways, easements or similar matters that may affect the property?
			19. Are there any shared maintenance agreements affecting the property?
			20. Are there any zoning violations, non-conforming uses, or setback violations?
			21. Has a title policy been issued on the property in the past 5 years?
			IV. MISCELLANEOUS
			22. Have you received notice from any local, state or federal agencies requiring repairs, alterations or corrections of any existing conditions?
			23. Is there any existing or threatened legal action affecting this property?
			24. Are there any violations of local, state or federal laws or regulations relating to this property?
			25. Is there anything else you should disclose to a prospective Buyer because it may materially and adversely affect the property, e.g., zoning changes, road changes, proposed utility changes, threat of condemnation, noise, bright lights, or other nuisances, etc.?
			26. Are all the exterior door locks in the house in working condition?
			27. Will keys be provided for each lock?
			28. Have you had, or do you now have, any animals (pets) in the house?
			29. Is there or has there ever been a swimming pool, hot tub, spa or whirlpool on the property? If Yes, circle all that apply.
			30. If Yes, are there any defects in such systems?
			31. If there is a pool, does it conform to all local ordinances?
			32. What is the type of trash disposal? _____ Private _____ Municipal
			33. The cost of repairing and paving the streets adjacent to the property is paid for by: _____ The property owner(s), estimated fees: \$ _____ _____ Delaware Department of Transportation or the State of Delaware _____ Unknown
			Note to Buyer: Repairing and repaving of the streets can be very costly. (6 Delaware Code§ 2578)
			34. Is off street parking available for this property? If Yes, number of spaces available: _____
			V. ENVIRONMENTAL HAZARDS
			35. Are there now or have there been any underground storage tanks (UST) on the property? (e.g., heating fuel, propane, septic) If Yes, indicate locations: _____
			36. If the tank was abandoned, was it done with all necessary permits and properly abandoned?
			37. Are asbestos-containing materials present?
			38. Are there any lead hazards? (e.g., lead paint, lead pipes, lead in soil.)
			39. Has the property been tested for toxic or hazardous substances? Attach each test report, if available.
			40. Has the property ever been tested for mold, if Yes, provide the test results.
			VI. LAND (SOILS, DRAINAGE AND BOUNDARIES)
			41. Is there fill soil or other fill material on the property?
			42. Are there any sliding, settling, earth movement, upheaval, earth stability, or methane gas release problems that have occurred on the property or in the immediate neighborhood?
			43. Is any part of the property located in a flood zone or considered a wetlands area?
			44. Are there any drainage or flood problems affecting the property?
			45. Do you currently carry flood insurance?
			46. Does the property have standing water in front, rear or side yards for more than 48 hours after raining?
			47. Are there encroachments or boundary line disputes affecting the property?
			48. Are there any tax ditches crossing or bordering the property?
			49. Has the property ever been surveyed?
			50. Are the boundaries of the property marked in any way?
			VII. STRUCTURAL ITEMS
			51. Have you made any additions or structural changes?
			52. If Yes, was all work done with all necessary permits and approvals in compliance with building codes?
			53. Is there any movement, shifting, or other problems with walls or foundations?
			54. Has the property or improvements thereon ever been damaged by fire, smoke, wind, or flood?

Yes	No	*	* Write in U if Unknown or NA if Not Applicable, otherwise mark either the Yes or No column.
			55. Was the structure moved to this site? _____ Double Wide _____ Modular _____ Other: _____
			56. Was fire retardant plywood used in the construction?
			57. Is there any past or present water leakage in the house?
			58. Are there any problems with driveways, walkways, patios, or retaining walls on the property?
			59. Are there any repairs or other attempts to control the cause or effect of any problem described above?
			60. Is there insulation in:
			The ceiling / attic?
			The exterior walls?
			Other places? _____
			What type(s) of insulation does your property have? _____
			VIII. TERMITES, DRYROT, PESTS
			61. Is there or has there been any infestation by termites or other wood destroying insects?
			62. Is there or has there been any damage to the property caused by termites, other wood destroying insects, pests or dryrot?
			63. Have there been any termite / pest control inspections or treatments made on the property?
			64. Is your property currently under warranty or other coverage by a professional pest control company? If Yes, name of exterminating company: _____
			IX. BASEMENT AND CRAWL SPACES
			65. Does the property have a sump pump? If Yes, where does it drain? _____
			66. Is there any water leakage, accumulation, or dampness within the basement or crawlspace?
			67. Have there been any repairs or other attempts to control any water or dampness problem in the basement or crawlspace?
			68. Are there any cracks or bulges in the floor or foundation walls?
			X. ROOF
			69. Date last surface installed: _____
			70. How many layers of roof material are there (e.g., new shingles over old shingles)? _____
			71. Are there any problems with the roof, flashing, or rain gutters? If repaired under your ownership, explain on page 5.
			72. If under warranty, is warranty transferable?
			73. Where do your gutters drain? _____ Surface _____ Drywell _____ Storm Sewers _____ Unknown
			XI. PLUMBING-RELATED ITEMS
			74. What is the drinking water source? _____
			75. If drinking water supplied by utility, name of utility: _____
			76. What type of plumbing (copper, lead, cast iron, PVC, polybutylene, galvanized) is in the house? 1. Water supply _____ 2. Drainage _____
			77. Have there been any additions / upgrades to the original service?
			78. If any, was the work done by a licensed contractor?
			79. If your drinking water is from a well, when was your water last tested and what were the results of the test? _____
			80. When was well installed? _____ Location of well? _____ Depth of well? _____
			81. Is there a water treatment system? If Yes, _____ Leased _____ Owned
			82. What is the type of sewage system? __ Public Sewer __ Community Sewer __ Septic Tank __ Cesspool
			83. If septic, type: __ Gravity Fed __ Capping Fill __ LPP __ Mound __ Holding Tank __ Other: _____
			84. When was septic tank or cesspool last serviced? _____
			85. Is there a wastewater spray irrigation system installed on or adjacent to the property?
			86. Has a soil / site evaluation ever been done? If Yes, when? _____ Results? _____
			87. Are there any leaks, backups, or other problems relating to any of the plumbing, water and sewage related items?
			88. Are there any shut off, disconnected, or abandoned wells, underground water or sewer tanks on the property? If Yes, describe locations on page 5.
			89. If Yes, were they abandoned with all necessary permits and properly abandoned?
			90. Water Heater: __ Electric __ Oil __ Gas __ Other: _____

Yes	No	*	* Write in U if Unknown or NA if Not Applicable, otherwise mark either the Yes or No column.
			XII. HEATING AND AIR CONDITIONING
			91. What is the type of heating system and fuel? (e.g., forced air, heat pump, hot water, baseboard /oil, gas, electric, etc.) _____
			92. Age of furnace? _____ Date of last service? _____
			93. Are there any contractual obligations affecting the fuel supply, tanks, or systems?
			94. What is the type of air conditioning system? (e.g., central, units) _____
			95. Age of air conditioning system? _____ Date of last service? _____
			96. Have there been any additions / upgrades to the original services?
			97. If Yes, was work done by a licensed contractor?
			98. Are there any problems with the heating or air conditioning systems?
			XIII. ELECTRICAL SYSTEM
			99. What type of wiring (copper, aluminum, other, etc.) is in the house? _____
			100. What amp service does it have? ___ 60 ___ 100 ___ 150 ___ 200 ___ Other: _____ _____ Circuit Breakers _____ Fuses
			101. Does it have any 220/240-volt circuits?
			102. Do fuses blow or circuit breakers trip when two or more appliances are being used at the same time?
			103. Have there been any additions to the original service?
			104. If Yes, was work done by a licensed electrician?
			105. Are there wall switches, light fixtures or electrical outlets in need of repair? If Yes, explain on page 5.
			106. Are the permits associated with questions 52, 78, 97, and 104 closed?
			XIV. WOODBURNING STOVE OR FIREPLACE
			107. Do you have: ___ Wood burning stove ___ Fireplace ___ Insert ___ Other: _____?
			108. Was it part of the original house design?
			109. Was it installed by a professional contractor or manufacturer's representative?
			110. Are there any problems?
			111. When were the flues / chimneys last cleaned, serviced or repaired? _____ Explain nature of service or repair on Page 5.

XV. MAJOR APPLIANCES AND OTHER ITEMS

(A) Are the following items in working order? (The Agreement of Sale will specify what is included or excluded).

Yes	No	NA	Items	Yes	No	NA	Items	Yes	No	NA	Items
			Oven or Range				Window A/C Units				Draperies/Curtains
			Cooktop				Smoke Detectors				Drapery/Curtain Rods
			Wall Oven(s)				Fireplace Equipment				Shades/Blinds
			Refrigerator(s)				Fireplace Screen/Doors				Cornices/Valances
			Icemaker				Electronic Air Filter				Sheds/Outbuildings
			Freezer				Attic Fan				Playground Equipment
			Dishwasher				Whole House Fan				Wood Stove
			Disposal				Window Fan(s)				Satellite Dish
			Microwave				Ceiling Fan(s)				Satellite Dish Controls & Remote(s)
			Washer				Central Vacuum				Fuel Storage Tank(s) owned
			Clothes Dryer				Intercoms				Fuel Storage Tank(s) leased
			Bathroom Vents/Fans				Solar Equipment				Security Systems owned
			Trash Compactor				Attached Antenna/Rotor				Security Systems leased
			Water Conditioner owned				Range Hood-Exhaust Fan				Fire Detecting Equipment owned
			Water Conditioner leased				Garage Opener(s)				Fire Detecting Equipment leased
			Water Filter				Garage Opener Remotes				Other Items:
			Water Heater				Pool Equipment				
			Sump Pump				Pool cover				
			Storm Windows/Doors				Hot Tub, Equipment				
			Screens				Hot Tub Cover				
			Furnace Humidifier								
			Furnace De-Humidifier								

Are there additional problem description sheets attached? ___ No ___ Yes _____ Number of Sheets.

ACKNOWLEDGMENT OF SELLER

Seller has provided the information contained in this Report. This information is to the best of Seller’s knowledge and belief, complete, true and accurate. Seller has no knowledge, information or other reason to believe that any defects or problems with the property have been disclosed to or discussed with any Real Estate Agent or Broker involved in the sale of this property other than those set forth in this Report. Seller does hereby indemnify and hold harmless any Real Estate Agents involved in the sale of this property from any liability incurred as a result of any third-party reliance on the disclosures contained herein or on any subsequent amendment hereto. Seller’s Broker and / or Cooperating Broker, if any, is / are hereby authorized to furnish this Report to any prospective Buyer. This is a legally binding document. If not understood, consult an Attorney.

SELLER _____ Date _____ SELLER _____ Date _____

Date the contents of this Report were last updated: _____

ACKNOWLEDGMENT OF BUYER

I am relying upon the above Report and statements within the Agreement of Sale as the representation of the condition of property, and not relying upon any other information about the property. I have carefully inspected the property. I acknowledge that Agents are not experts at detecting or repairing physical defects in property. I understand there may be areas of the property of which Seller has no knowledge and this Report does not encompass those areas. Unless stated otherwise in my contract with Seller, the property is real estate being sold in its present condition, without warranties or guarantees of any kind by Seller or any Agent. I have read and received a signed copy of this Report. I may negotiate in my Agreement of Sale for other professional advice and / or inspections of the property. I understand there may be projects either planned or being undertaken by the State, County or Local Municipality which may affect this property of which the Seller has no knowledge. I further understand that it is my responsibility to contact the appropriate agencies to determine whether any such projects are planned or underway. If I do not understand the impact of such project(s) on the property I am purchasing, I should consult my Attorney. I understand that before signing an Agreement of Sale, I may review the applicable Master Plan or Comprehensive Land Use Plan for the County and / or appropriate City or Town Plans showing planned land uses, zoning, roads, highways, locations and nature of current or proposed parks and other public facilities. This is a legally binding document. If not understood, consult an Attorney.

BUYER _____ Date _____ BUYER _____ Date _____

DREC Approved 8/14/08